

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

BENCHMARK ELECTRICAL SOLUTIONS, INC.,

v. Plaintiff,
CV No. 18-436 MV/CG

DANCAR ENERGY CONSTRUCTION LLC,
and NATIONAL SPECIALTY INSURANCE COMPANY,

Defendants.

**STIPULATED ORDER ON PLAINTIFF'S MOTION TO COMPEL INTERROGATORY
ANSWERS AND PRODUCTION BY DEFENDANT NATIONAL
SPECIALTY INSURANCE COMPANY**

THIS MATTER is before the Court on stipulation of Plaintiff and Defendant National Specialty Insurance Company (“NSIC”) to address *Plaintiff's Motion to Compel Interrogatory Answers and Production by Defendant National Specialty Insurance Company* (“Motion to Compel”), (Doc. 82), filed December 16, 2019. The Court, noting the parties’ concurrence in entry of this Order as evidenced by counsel’s signatures, and being otherwise advised in the premises, **FINDS**:

1. Plaintiff shall withdraw its Motion to Compel, (Doc. 82), on the conditions set forth below.
2. Defendant NSIC shall submit a verification of Answers to Interrogatories signed by a representative of Defendant NSIC with the supplemental responses described below.
3. Defendant NSIC has agreed to supplement its responses to Interrogatories Nos. 3 through 10 inclusive of Plaintiff’s First Set of Interrogatories to Defendant NSIC, and its responses to Plaintiff’s First Set of Requests for Production

with a similar level of detail as the Court ordered with respect to Defendant DanCar Energy Construction, LLC, in its *Order Granting In Part Plaintiff's Motion To Compel* (Doc. 84), no later than **January 3, 2020**.

4. Remaining issues, if any, with respect to sufficiency of Defendant NSIC's responses may be addressed by Plaintiff filing a notice of any unresolved discovery issues on or before the current deadline for motions relating to discovery, January 31, 2020, and the deadline under LR-Civ. 26.6 for filing such a motion shall be extended to that date.

IT IS THEREFORE ORDERED that the stipulation of Plaintiff and Defendant NSIC as set forth in Findings 1 through 4 above is approved.

IT IS FURTHER ORDERED that the Motion Hearing set for January 15, 2020, at 10:00 a.m. in Las Cruces, New Mexico, is hereby **VACATED**.

IT IS SO ORDERED.



THE HONORABLE CARMEN E. GARZA
CHIEF UNITED STATES MAGISTRATE JUDGE

Submitted and approved:

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